



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/676,831	10/01/2003	Jeffrey J. Darcy	E0295.70160US01

CONFIRMATION NO. 3775

FORMALITIES LETTER



OC000000011567934

23628
WOLF GREENFIELD & SACKS, PC
FEDERAL RESERVE PLAZA
600 ATLANTIC AVENUE
BOSTON, MA 02210-2211

Date Mailed: 12/24/2003

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$3284 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$4184 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

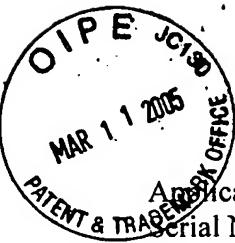
- Total additional claim fee(s) for this application is \$3284

- \$602 for 7 independent claims over 3.
- \$2682 for 149 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

URG
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey J. DARCY
 Serial No: 10/676,831
 Filed: October 1, 2003
 For: METHOD AND APPARATUS FOR DISTRIBUTING A LOGICAL
 VOLUME OF STORAGE FOR SHARED ACCESS BY MULTIPLE HOST
 COMPUTERS

Examiner: Unassigned
 Art Unit: 2186 Confirmation. No.: 3775

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 9th day of March, 2005.

Eileen MacKenzie

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing are the following documents:

- Letter In Response To Notice to File Missing Parts Mailed November 25, 2004
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned collect at (617)720-3500, Boston, Massachusetts.

A check is not enclosed. If a fee is necessary, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Jeffrey J. DARCY, Applicant

By:
 Richard F. Giunta, Reg. No.: 36,149
 Wolf, Greenfield & Sacks, P.C.
 600 Atlantic Avenue
 Boston, Massachusetts 02210-2211
 Telephone: (617) 720-3500

Docket No. E0295.70160US01

Date: March 9, 2005

NDN

874495.1



DOCKET NO.: E0295.70160US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey J. DARCY
Serial No: 10/676,831
Filed: October 1, 2003
For: METHOD AND APPARATUS FOR DISTRIBUTING A LOGICAL
VOLUME OF STORAGE FOR SHARED ACCESS BY MULTIPLE
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HOST

Examiner: Unassigned
Art Unit: 2186 Confirmation. No.: 3775

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Eileen MacKenzie
Eileen MacKenzie

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

LETTER IN RESPONSE TO NOTICE TO FILE MISSING PARTS
MAILED NOVEMBER 15, 2004

Applicant received a Notice to File Missing Parts mailed November 15, 2004 in the above-identified application, indicating that the Declaration is missing. Applicant notes that the Declaration and statutory filing fee were previously submitted to the Patent Office on April 20, 2004 in response to the Notice to File Missing Parts mailed December 23, 2003 and were received by the Patent Office on April 22, 2004. A copy of the response filed April 20, 2004 including the Declaration and filing fee and a copy of the stamped received postcard acknowledging receipt of these papers are enclosed. Accordingly, Applicant respectfully

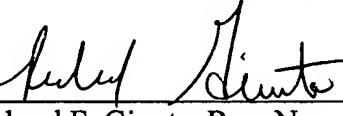
Serial No.: 10/676,831
Conf. No.: 3775

-2-

Art Unit: 2186

requests that the Notice to File Missing Parts mailed November 15, 2004 be withdrawn and a notice to this effect be issued.

Respectfully submitted,
Jeffrey J. Darcy, Applicant

By: 
Richard F. Giunta, Reg. No.: 36,149
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 720-3500

Docket No. E0295.70160US01
Date: March 9, 2005

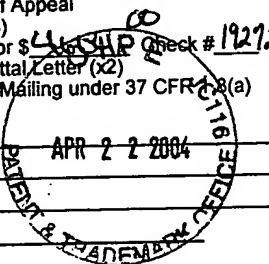


Serial No. 10/676,831 File No. E0295,10160US01 by: SJS/RFG
Title: Method And Apparatus For Distributing A ...
Application of Jeffrey J. Darcy WGS Date: 4/20/04

The U.S. PTO Mail Room acknowledges receipt of the following on the date stamped hereon:

- | | |
|--|--|
| <input type="checkbox"/> Mailing by Express Mail (37 CFR 1.10)
Express Mail Label No. _____ | <input type="checkbox"/> Provisional Application Cover Sheet
Multiple Dependent Claim Fee Sheet
Inf. Discl. Statement, PTO Form 1449 |
| <input type="checkbox"/> Patent Application
<input type="checkbox"/> Non-provisional <input type="checkbox"/> Provisional
Incl. _____ pages, (____ pgs) Specification,
(____ pgs) Abstract, (____ pgs) Claims (____ # claims) | <input type="checkbox"/> References Cited
Priority Document(s) # _____ |
| <input type="checkbox"/> Design Patent Application
Declaration(s) _____ | <input checked="" type="checkbox"/> Copy of Notice to File Missing Parts
Amendment/Response |
| <input type="checkbox"/> Drawings _____ Sheet(s). (FIGS. _____)
<input type="checkbox"/> Formal <input type="checkbox"/> Informal | <input checked="" type="checkbox"/> Petition for Ext. of Time (x2)
Issue Fee Transmittal |
| <input checked="" type="checkbox"/> Utility Patent Application Transmittal
Fee calculation sheet (x2) | <input type="checkbox"/> Assignment and Coversheet
Notice of Appeal |
| <input type="checkbox"/> CPA Transmittal
Verified Statement claiming small entity status | <input checked="" type="checkbox"/> Brief (x3)
Check for \$ <u>445.00</u> Check # <u>19272</u> |
| <input type="checkbox"/> Request for Approval and Entry of Formal Drawings | <input checked="" type="checkbox"/> Transmittal Letter (x2)
<input checked="" type="checkbox"/> Cert. of Mailing under 37 CFR 1.8(a) |
| <input type="checkbox"/> Other _____ | |

DATE MAILED 4/20/04





DOCKET NO.: E0295.70160US01

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey J. DARCY
Serial No: 10/676,831
Filed: October 1, 2003
For: METHOD AND APPARATUS FOR DISTRIBUTING A LOGICAL VOLUME OF STORAGE FOR SHARED ACCESS BY MULTIPLE HOST COMPUTERS

Examiner: Unassigned
Art Unit: 2186 Confirmation. No.: 3775

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 20 day of April, 2004.

Jeffrey J. Darcy
Signature

Mail Stop Missing Parts
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Part 2 - Notice to File Missing Parts
- Declaration (executed)
- Fee Calculation Sheet
- Petition For A Two Month Extension of Time
- Return Receipt Postcard

The fee has been calculated as shown below:

CLAIMS AS AMENDED

	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addl. Fee
TOTAL CLAIMS	169	20	=	0 X \$ 18.00 =	\$ 0.00
INDEP. CLAIMS	10	3	=	0 X \$ 86.00 =	\$ 0.00
PETITION FOR MONTH EXTENSION OF TIME				=	\$420.00
BASIC FILING FEE AND SURCHARGE FEE				=	\$900.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT				=	\$ 4,604.00

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

A check in the amount of \$4,604.00 is enclosed to cover the \$770.00 basic filing fee, the \$130.00 surcharge fee, the \$420.00 two month extension fee, and the \$3,284.00 additional claims fee. If the fee is insufficient, the balance may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

Jeffrey J. Darcy, Applicant

By: *Richard F. Giunta*
Richard F. Giunta, Reg. No.: 36,149
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617)720-3500

Docket No. E0295.70160US01

Date: April 20, 2004
x04/24/04x